



CITY COUNCIL

Meeting Agenda

**REGULAR MEETING
COUNCIL CHAMBERS**

**MON, JUNE 23, 2008
7:00P.M.**

OPENING MATTERS

CALL TO ORDER

INVOCATION: Rev. Philip Keevil, First Presbyterian Church

PLEDGE OF ALLEGIANCE

ROLL CALL

PROCLAMATIONS AND PRESENTATIONS

Council Commendation:

- In recognition of Cancer Survivors Month, accepted by Barb Beever from the American Cancer Society
- In recognition of the United Steelworkers Union, accepted by Dean Showers President local 6996

Mayoral Proclamation:

- To Comcast Cable in recognition of Comcast Cares Day

PUBLIC COMMENT – AGENDA MATTERS:

Citizens have the opportunity to address the Council, by registering with the City Clerk before the start of the meeting. All remarks must be directed to Council as a body and not to any individual Council member or public or elected official in attendance. Any person making personally offensive or impertinent remarks or who shall become unruly while addressing Council may be called to order by the Presiding Officer, and may be barred from speaking before Council, unless permission to continue speaking is granted by the majority vote of Council.

All comments by the public shall be made from the speaker's podium. Citizens attending the meeting may not cross into the area beyond the podium. Any materials to be distributed to Council must be given to the City Clerk before the meeting is called to order.

Those commenting on an agenda business shall speak at the beginning of the meeting and shall limit their remarks to 5 minutes. Those commenting on general matters shall speak after the legislative business is concluded and shall limit their remarks to 3 minutes. No comments shall be made from any other location except the podium, and anyone making "out of order" comments may be subject to removal. There will be no demonstration at the conclusion of anyone's presentation. Citizens may not ask questions of Council member or other elected or public official in attendance.

APPROVAL OF AGENDA AND MINUTES

Tab 3. AGENDA: Council Meeting of June 23, 2008

MINUTES: May 27, 2008 and June 9, 2008

Consent Agenda Legislation

Resolution – authorizing the execution of the attached Cooperation Agreement and Voluntary Payment Agreement between the City of Reading, County of Berks, Reading School District, and the City of Reading Housing Authority concerning taxes for land situated at 100 North Second Street and 110 North Second Street and 101 Pear Street, site of proposed Goggle Works Apartment Project. (Solicitor)

ADMINISTRATIVE REPORTS

REPORT FROM OFFICE OF THE AUDITOR

REPORTS FROM DIRECTORS & BOARDS AUTHORITIES AND COMMISSIONS

Tab 4. ORDINANCES FOR FINAL PASSAGE

Bill 45-2008 – amending the Park and Recreation Advisory Committee (PARC) ordinance by adding participation from the United Way, Olivets-PAL and the YMCA and by adding removal provisions (**Public Works Committee**) *Introduced at the May 27 regular meeting*

Ordinance - amending the City Of Reading Codified Ordinances Section 15-812 Boot Installation by reducing the number of unsettled parking violations from ten (10) to five (5). (**Parking Authority – Council Staff**) *Discussed at the 5-27 Committee of the Whole; Introduced at the 5-27 Regular Meeting*

Pending
Advertisement and Public Hearing Required by MPC
Notice of Pending Ordinance Doctrine

Ordinance – amending the Zoning Ordinance by prohibiting rental uses in the R-1, R-1A and R-2 Zoning Districts **(Councilor Marmarou & Council Staff)** *Introduced at the March 24 regular meeting of Council*

Ordinance- amending the Zoning Ordinance and Zoning Map by changing the R-3 zoning designation to an R-2 zoning designation in Council District 1 to include parcels with the parcel identification numbers (PIN) 530654145536 and 530653140352 **(Councilor Fuhs)** *Introduced at the May 12 regular meeting, Public Hearing Scheduled for Tues, June 24 at 5 p.m.*

Ordinance- amending the Zoning Ordinance and Map by changing the Residential Outlet zoning designation to Commercial Neighborhood designation in City Council District 6. **(Councilor Waltman)** *introduced at the May 12 regular meeting. Public Hearing Scheduled for Tues, June 24 at 5 p.m.*

Pending – Further Review Required

Bill No. 26-2008 - amending the Codified Ordinances of the City of Reading, Chapter 1 – Section 1-186, 3, G, by adding a new (3) requiring Council approval for all expenditures, transfers and/or allocations from and/or to any and all Agency Funds and any and all line-items located in the Departmental: Non Departmental area of the General Fund **(Council Pres. Spencer- Council Staff)** *Introduced at the February 25 regular meeting; Tabled at the March 10 regular meeting; referred to the Finance Committee for review; Discussed at 4-7 Finance Committee; Tabled at the 4/14/08 Regular Meeting*

Bill No. 43-2008 - amending the Housing Permit Ordinance by reducing the number of Disruptive Conduct Reports needed for the eviction of the tenant(s) and increasing the appeal fee from \$50 to \$75 **(Council Public Safety Committee)** *Introduced at the May 12 regular meeting; Tabled at the May 27 regular meeting*

Tab 6. INTRODUCTION OF NEW ORDINANCES

Ordinance - amending the FY 2006-2012 capital improvement plan for the city of Reading (**Finance Department**) *Referred to the Finance & Public Works Committee*

Ordinance – amending the City of Reading Zoning Ordinance regarding rental properties and student housing (Councilor Marmarou)

RESOLUTIONS

Award of Contract – authorizing the Administration to enter into a professional services agreement with Hill International/Weston Solutions/ Hazen and Sawyer for project management, construction management, and related services for the City of Reading waste water treatment plant upgrades project at a cost of \$7,825,025 (**Public Works**)

Resolution – approving the Conditional Use Application for the construction of a firehouse at 101 Lancaster Avenue. *Public Hearing held Thurs, May 29th*

Resolution – reappointing Steven McCracken to the Board of Ethics (**Administrative Oversight Committee**)

Resolution – reappointing Ed Kopicki to the Downtown Improvement District Authority (**Administrative Oversight Committee**)

PUBLIC COMMENT - GENERAL MATTERS

COUNCIL BUSINESS / COMMENTS

COUNCIL MEETING SCHEDULE

Monday, June 23rd

Meeting with the Mayor – Mayor's Office at 4:00 pm

Committee of the Whole – Council Office at 5:00 pm

Regular Meeting – Council Chambers at 7:00 pm

Tuesday, June 24th

Public Hearing – Rezoning parcels in the 18th Ward from R3 to R2 and changing the Residential Outlet zoning designation to Commercial Neighborhood in District 6 – Council Chambers at 5 pm

Committee of the Whole – Riverview Master Developer Agreement immediately following the public hearing in the Council Office

Thursday, June 26th

Housing Permit Enforcement - Council Office at 5 pm

Master Plan for Antietam Park – Lower Alsace Township Bldg at 7 p.m.

Monday, June 30th

Budget Meeting – Council Office at 5 p.m.

Friday, July 4th

Independence Day - City Hall Closed

Monday, July 7th

Meeting with the Mayor – Mayor’s Office at 4 pm

Public Safety Committee – Council Office at 5 pm

Finance Committee – Council Office at 5 pm

Monday, July 14th

Meeting with the Mayor – Mayor’s Office at 4 pm

Committee of the Whole – Council Office at 5 pm

Regular Meeting – Council Chambers at 7 pm

BAC AND COMMUNITY GROUP MEETING SCHEDULE

Monday, June 23

DID Authority – Reading Eagle 3rd Floor Conference Room – noon

BARTA – BARTA Office – 3 pm

Park and Recreation Advisory Council – Pendora Fieldhouse – 5:45 pm

Northwest Neighborhood Assn – Wesley Church – 6:30 pm

Charter Board – Penn room – 7 pm

Penn’s Commons Neighborhood Group – Penn’s Commons Meeting Room – 7 p

Tuesday, June 24

Housing Authority Workshop – WC Building – 4 pm

Housing Authority – WC Building – 5 pm

Human Relations Commission – Penn Room – 5 pm

Dare 2 Care – Bethel AME Church 5:30 pm

Library Area Neighborhood Assn – Unitarian Church – 6:30 pm
District 7 Crime Watch – Holy Spirit Church – 7 pm

Wednesday, June 25

Parking Authority – Parking Authority Office – 5 pm
District 6 Crime Watch – 13th & Green Elementary School – 6:30 pm
Outlet Area Neighborhood Assn – St. Mark's Lutheran Church – 6:30 pm
18th & Cotton Neighborhood Assn – St. Matthew's Church – 7 pm
Northeast Crime Watch – Northeast Library – 7 pm
Stadium Commission – Stadium RBI Room – 7:30 pm

Thursday, June 26

Water Authority – Penn Room – 4 pm

Wednesday, July 2

Reading Elderly Housing Crime Watch – Front & Washington Sts – 2:30 pm
District 2 Crime Watch – St. Paul's Lutheran Church – 6:30 pm

Thursday, July 3

Police Civil Service Board – Penn Room – noon
Board of Health – Penn Room – 6 pm
Glenside Community Council – Christ Lutheran – 6:30 pm
District 3 Crime Watch – Calvary Baptist – 7 pm
Legislative Aide Committee – Penn Room – 7:30 pm

Monday, July 7

Centre Park Artifacts Bank – 705 N 5th St – noon
Shade Tree Commission – Planning Conference Room – 6 pm
Wyomissing Park Property Owner's Assn – member's home – 6:30 pm

Tuesday, July 8

Airport Authority – Airport Authority Office – 8:15 am
Water Authority Workshop – Penn Room – 4 pm
15-1 – 928 Pearl St – 7:30 pm
Planning Commission – Penn Room – 7 pm
Bethany Area Neighborhood Organization – Bethany Baptist – 7 pm
District 11 Crime Watch – Orthodox Presbyterian – 7 pm

Wednesday, July 9

Zoning Hearing Board – Penn Room – 5:30 pm
Center City Community Organization – Holy Cross – 6 pm
Greenwich Seed – Hope Lutheran – 6:30 pm

Thursday, July 10

Police Pension Board – Penn Room – 10 am
Southeast Community Council – Amanda Stoudt – 7 pm

Monday, July 14

Fire Civil Service Board – Penn Room – 4 pm
6th & Amity Neighborhood & Playground Assn – 6th & Amity Fieldhouse – 6:30 pm
Charter Board – 7 pm

City of Reading City Council

Regular Meeting Tuesday, May 27, 2008

A regular meeting of City Council was held on the above date for the transaction of general business.

Vaughn D. Spencer, President of Council, called the meeting to order.

The invocation was given by Pastor Jack Williams, First Century Worship Center.

All present pledged allegiance to the flag.

ATTENDANCE

Council President Spencer
Councilor S. Fuhs, District 1
Councilor M. Goodman-Hinnershitz, District 2
Councilor D. Sterner, District 3
Councilor S. Marmarou, District 4
Councilor M. Baez, District 5
Councilor J. Waltman, District 6

Mayor T. McMahon
Acting Managing Director R. Hottenstein
City Auditor D. Cituk
City Solicitor C. Younger
City Clerk L. Kelleher
Sergeant at Arms Capt. R. Schaeffer
Public Works Director C. Jones
City Planner A. Miller

PROCLAMATIONS AND PRESENTATIONS

City Council issued commendations to:

- Children's Home Day, accepted by Vincent Lasorsa, Executive Director of the Children's Home.
- Historic Preservation Month, accepted by Historic Preservation Specialist, Amy Johnson
- Historic Preservation Specialist Amy Johnson and Peter Sutliff, Chair of the Architectural Review Board, issued Historic Preservation Awards to property owners representing each of the City's four historic districts.

PUBLIC COMMENT

Council President Spencer announced that there are six city citizens registered to address Council on non-agenda matters. He asked Council if anyone objected to allowing the citizens registered to address Council on non-agenda matters to speak at this point in the meeting. As no one objected, the speaking rule requiring citizens addressing Council on non-agenda matters to speak at the end of the meeting was suspended. Council President Spencer reminded those registered to speak that the remaining speaking rules are still in effect.

Nevin Sturms, of Wunder Street, described the various quality of life problems stemming from resistance of a scrap metal recycling dealer business in his neighborhood. He presented Council with petitions opposing this incompatible commercial business in a residential neighborhood. He listed the various quality of life problems; such as metal debris in the street and sidewalk, noise and traffic problems, caused by the use of front end loaders, and large tractor trailers, etc. He asked City Council to investigate this issue and take appropriate corrective actions.

Edward Kulp, of Oley, described the various problems landlords have moving forward through the new housing permit process. He suggested that landlords who have no past property maintenance issues be awarded housing permits without going through this process. He also suggested the use of electronic media to streamline the process.

Bernard Michalfki, of South 7th Street, stated that his recent application for a handicapped parking space at his home was denied, due to the double standards applied by the City's criteria. He expressed the belief that having a state issued handicapped tag for their vehicles should be sufficient proof that the applicant is qualified for a handicapped parking space. He stated that his degenerative diseases and prescriptions used to treat his illness cause him great hardship. He asked Council to reconsider the process currently in place to approve handicapped parking spaces in residential neighborhoods.

Ronald Stuffle, of North Fifth Street, was not present.

Daniel Sodomsky, of Temple, stated that he grew up in Hampden Heights and is a member of the Jewish Community Center. He described the problems and abuses of the Zoning Hearing Board as they considered the rezoning of the parcel owned by the Jewish Community Center. He also noted the misguided application of the hearing rules by the Zoning Hearing Boards Solicitor. He stated that the Zoning Board Solicitor refused to allow him to speak at the hearing when the rezoning of this parcel was being considered by the Zoning Hearing Board, and the Solicitor refused to accept the petitions signed by properties neighboring this parcel at the hearing. He cited various civil rights violations.

Rex Smith, of Olive Street, and representative of the College Manner Swimming Association, noted various objections to the Zoning Hearing Boards approval of school use on the Jewish Community Center property, which is zoned R1. He announced the College Manner Swimming Association's intent to appeal the Zoning Hearing Boards decision, due to their application of the definition of standing and their lack of proper operating procedures.

THE AGENDA AND THE MINUTES

Council President Spencer called Council's attention to the Agenda for this meeting, including the legislation listed under the Consent Agenda Heading, and the minutes of the May 12, 2008 Regular Meeting of Council.

Councilor Baez moved, seconded by Councilor Fuhs, to approve the Agenda for this meeting, including the legislation listed under the Consent Agenda Heading and the minutes from the May 12, 2008 Regular Meeting of Council. The motion was approved unanimously.

CONSENT AGENDA LEGISLATION

Resolution 60–2008 – authorizing the amendment of the FFY2008 one year Action and the FFY2004 to FFY2008 five year Consolidated Plan to provide \$100,000 in un-programmed CDBG funds for the Phase III renovations to City Park. (CD Office)

Award of Contract – 25% NaOH diaphragm grade delivered in bulk and the 50% NaOH diaphragm grade delivered in bulk to North Industrial Chemicals, P.O. Box 1904, York, PA 17405, who is the low bidder, at the submitted unit prices of \$0.993/gallon and \$1.987/gallon respectively. These awards bring the estimated total bid price to \$129,140 (Purchasing)

Award of Contract – Grace Industries, 7171 Airport Road, Bath, PA 18014, at a total bid price of \$314,480.00 for various improvements to the Hampden Park Tennis Courts for the Departments of Public Works and Community Development (Purchasing)

Award of Contract – to Maximus, Harrisburg, PA for a user fee study at a total fee of \$74,400. (Purchasing)

ADMINISTRATIVE REPORT

Acting Managing Director Ryan Hottenstein read the report distributed to Council at the meeting, covering the following:

- 2008 Kennel Club Dog Show
- Air quality partnership with the state DEP

- Operation Facelift group work camps sponsored by NHS

Councilor Goodman–Hinnershitz noted the excellence of the Kennel Club event. She stated that she has asked the Administration to investigate the existence of the scrap metal recycling business on Wunder Street and has not yet had a response.

AUDITORS REPORT

City Auditor Dave Cituk read the report distributed to Council at the meeting covering the following:

- Collection of 2008 Admissions Tax
- Collection 2008 Real Estate Transfer Tax
- The unemployment compensation expenses for 1996 through the first quarter of 2008

Mayor McMahon referred to the real estate Transfer Tax collected from the sale of 2101–225 Hampden Boulevard. City Auditor Cituk replied that \$78,219 was collected from the sale of the Oak Forrest Apartments.

REPORTS FROM BOARDS AUTHORITIES AND COMMISSIONS

City Planner Andrew Miller stated that the Planning Commission works to enforce the City's planning code and the Subdivision and Land Development (SALDO) Ordinance. He noted some examples of projects reviewed and approved by the Planning Commission to date; such as Farley Square, at Garden State Terrace, and the restoration of the façade at the Gilbert Building on Lancaster Avenue. He stated that the Planning Commission's work with the developers improves the City's streetscape. He noted the Planning Commission's upcoming review of the Giannasca Riverview Development in southwest Reading.

Mr. Miller stated that the Planning Commission is participating in the rewrite of the City's zoning ordinance and on the Blighted Property Review Committee to assist with the improvement of the City.

Councilor Waltman thanked the Commission for their good management practices that have supported many important projects.

Acting Managing Director Ryan Hottenstein thanked the Planning Commission for their hard work and noted the great effort undertaken by Mr. Miller as the City's sole planner.

Councilor Goodman-Hinnershitz noted the need for Council and Administration to revisit the staffing levels of the planning office to provide for the protection of future development projects. She stated that lack of proper staffing and planning leaves the City at risk.

ORDINANCES FOR FINAL PASSAGE

Bill 37-2008 - empowering the Parking Authority to issue abandoned vehicle reports for all vehicles towed due to parking violations (**Parking Authority, Police Chief, Council Staff**) *Introduced at the May 12 regular meeting*

Councilor Fuhs moved, seconded by Councilor Marmarou, to table Bill 37-2008.

Bill 37-2008 was tabled by the following vote:

Yea – Beaz, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman,
Spencer President – 7

Nays – none

Bill 38-2008- authorizing the refunding of the outstanding City of York General Authority Adjustable Rate Pooled Financing Revenue Bonds (City of Reading, PA Project) Sub-series 96-1996 (**Finance Dir**) *Introduced at the May 12 regular meeting*

Councilor Fuhs moved, seconded by Councilor Baez, to enact Bill 38–2008.

Bill 38–2008 was enacted by the following vote:

Yea – Beaz, Fuhs, Goodman–Hinnershitz, Marmarou, Sterner, Waltman,
Spencer President – 7

Nays – none

Bill 39-2008- creating the Reading Local Redevelopment Authority who shall serve in an advisory capacity to the City’s governing body regarding the development of a reuse plan for the Naval Marine Reserve Center, located on Kenhorst Boulevard Avenue, in Council District 1 (City Council) *Introduced at the May 12 regular meeting*

Councilor Fuhs moved, seconded by Councilor Marmarou, to enact Bill 39–2008.

Councilor President Spencer explained the Department of Defense recently approved the City’s succession to the Local Redevelopment Authority (LRA) which will oversee the redevelopment of the Naval Marine Reserve base, recently decommissioned by the Federal Government.

Bill 39–2008 was enacted by the following vote:

Yea – Beaz, Fuhs, Goodman–Hinnershitz, Marmarou, Sterner, Waltman,
Spencer President – 7

Nays – none

Bill 40 – authorizing the execution of a deed, and any other required documents, to convey the premises situate at 400 S. 6th Street from the City of Reading to the Reading Redevelopment Authority. (Solicitor) *Introduced at the May 12 regular meeting*

Bill 41- authorizing the execution of a deed, and any other required documents, to convey the premises situate at 401–403 S. 6th Street from the City of Reading to the Reading Redevelopment Authority. (Solicitor) *Introduced at the May 12 regular meeting*

Bill 42- authorizing the execution of a deed, and any other required documents, to convey the premises situate at 422 S. 6th Street, Reading, Berks County, Pennsylvania, from the City of Reading to the Reading Redevelopment Authority. (Solicitor) *Introduced at the May 12 regular meeting*

Councilor Sterner moved, seconded by Councilor Baez, to enact Bills 40, 41, 42–2008.

Councilor President Spencer explained that this list of properties composes the market square property destroyed by fire and demolished last year. He stated that these properties will be transferred to the Reading Redevelopment Authority for economic development purposes.

Bill 40, 41, 42–2008 was enacted by the following vote:

Yea – Beaz, Fuhs, Goodman–Hinnershitz, Marmarou, Sterner, Waltman,
Spencer President – 7

Nays – none

Bill 43-2008- amending the Housing Permit Ordinance by reducing the number of Disruptive Conduct Reports needed for the eviction of the tenant(s) and increasing the appeal fee from \$50 to \$75 (Council Public Safety Committee) *Introduced at the May 12 regular meeting*

Councilor Marmarou moved, seconded by Councilor Waltman, to table Bill 43–2008.

Bill 43–2008 was tabled by the following vote:

Yea – Beaz, Fuhs, Goodman–Hinnershitz, Marmarou, Sterner, Waltman,
Spencer President – 7

Nays – none

INTRODUCTION OF NEW ORDINANCES

Council President Spencer read the following Ordinances into the record:

Ordinance – amending the City of Reading Topographical Map by vacating Lafayette Street, between Pear and North 2nd Streets and vacating Pear Street, between Beech and Lafayette Streets. (Council Staff)

Ordinance – amending the Park and Recreation Advisory Committee (PARC) ordinance by adding participation from the United Way, Olivets–PAL and the YMCA and by adding removal provisions (Public Works Committee)

RESOLUTIONS

Resolution 61-2008 – reappointing Ruth Epler to the Park and Recreation Advisory Council (Administrative Oversight & Land Use Committee)

Resolution 62-2008 – reappointing Jeff Darlington to the Board of Ethics (Administrative Oversight & Land Use Committee)

The Administrative Oversight Committee moved to adopt Resolution 61 and 62–2008.

Councilor Marmarou noted the experience and skill of those seeking reappointment to the City’s Board Of Ethics and Park & Recreation Advisory Council.

Resolution 61 and 62–2008 were adopted by the follwojg vote:

Yea– Beaz, Fuhs, Goodman–Hinnershitz, Marmarou, Sterner, Waltman,
Spencer President–7

Nays – none

Resolution 63-2008 – appointing Adam Wagonseller to the Legislative Aide Committee (Administrative Oversight & Land Use Committee)

The Administrative Oversight Committee moved to adopt Resolution 63–2008.

Councilor Baez stated that Mr. Wagonseller’s experience as a Legislative Aide to a Congressman will be of great assistance to the Legislative Aide Committee.

Resolution 63–2008 was adopted by the following vote:

Yea– Beaz, Fuhs, Goodman–Hinnershitz, Marmarou, Sterner, Waltman,
Spencer President–7

Nays – none

COUNCIL COMMENT

Councilor Fuhs agreed with the potential conflict between the State’s and the City’s criteria handicapped parking requirements, he asked that this issue be reviewed.

Councilor President Spencer asked Council Staff to gather examples of policies and criteria used for handicapped spaces in other cities and surrounding boroughs and townships.

Councilor Fuhs asked the Administration to enforce the City’s ordinance restricting parking of trucks, tractors, and recreational vehicles in residential neighborhoods.

Mayor McMahon asked Captain Schaffer to handle this matter.

Council Fuhs thanked Councilor Marmarou, Joanne Marmarou, and the Police Beneficial Association's Board of Director's work to support the Reading Police Department.

Councilor Sterner thanked all the citizens speaking tonight for bringing their issues to the attention of the City. He asked the Administration to address the problems associated with having a scrap metal recycling dealer in a residential neighborhood. He noted that residential neighborhoods are stressed enough; they don't need the additional pressure caused by incompatible business uses.

Councilor Goodman-Hinnershitz agreed with the need to address problems associated with incompatible businesses located in residential neighborhoods. She stated that over the years some have taken advantage of the City's lack of zoning staff, which places the city in a catch up position.

Councilor Goodman-Hinnershitz noted the dedication of a mural on the 600 block of Franklin Street, on Wednesday at 4:30 pm.

Councilor Baez announced the upcoming community and town meetings scheduled over the next few weeks.

Councilor Marmarou noted the history of the scrap metal recycling dealer on Wunder Street. City Auditor Cituk raised various problems caused by the new facility.

Councilor Marmarou noted the process used to reappoint the Board Authorities and Commissions with expired terms. He stated that those serving with expired terms continue until they are either reappointed or replaced.

Council President Spencer agreed with the need to take a firmer approach to the approval of certain business uses in residential neighborhoods. He noted the extreme hardships the overabundance of mixed uses that has caused in City neighborhoods.

Councilor Waltman explained the housing permit process provides for good landlord having housing permits for 5 years when located in R3 areas, and 10 years when located in R1 or R2 areas. He agreed that the process is somewhat cumbersome as a wealth of information needs to be collected at the outset.

Council President Spencer highlighted the meeting schedule.

Councilor Fuhs moved, seconded by Councilor Goodman–Hinnershitz to adjourn the Regular Meeting of Council.

Linda Kelleher
City Clerk

City of Reading City Council

Regular Meeting Monday, June 9, 2008

A regular meeting of City Council was held on the above date for the transaction of general business.

Vaughn D. Spencer, President of Council, called the meeting to order.

The invocation was given by Reverend Janice Grant

All present pledged allegiance to the flag.

ATTENDANCE

Council President Spencer
Councilor S. Fuhs, District 1
Councilor M. Goodman-Hinnershitz, District 2
Councilor D. Sterner, District 3
Councilor S. Marmarou, District 4
Councilor M. Baez, District 5
Councilor J. Waltman, District 6

Mayor T. McMahon
Finance Director, R Hottenstein
City Solicitor C. Younger
City Auditor D. Cituk
Public Works Director C. Jones
City Clerk L. Kelleher
Sergeant at Arms Sgt.. Linderman

PROCLAMATIONS AND PRESENTATIONS

City Council issued commendations to:

- RHS School Show, accepted by Jeannette DeAngelo.
- Recognizing the 75th Anniversary of Stoudt Auto Sales
- Recognizing the Anniversary of the Reading VFW Post 38
- Installation of a mural at 608 Franklin Street and presenting recognition certificates to those who participated.

Mayor McMahon issued the following proclamation:

- Recognizing Julio Arroyo Jr. for saving a life of a fellow citizen

PUBLIC COMMENT

Council President Spencer announced that one individual was registered to address Council on Non–Agenda matters. He inquired if any of the Councilors objected to suspending the rule that would allow comment on Non–Agenda items at this time. As no one objected, the rule requiring citizens addressing non– agenda matters to speak at the end of the business meeting was suspended. Council President Spencer reminded the citizen of the remaining public speaking rules.

Myron Carl Taylor, of South 9th Street, noted the need for the Administration to change the double standard for residency of certain City employees. He also objected the use of tax payer money to fund the legal challenge of those who do not comply with the Charter’s residency requirement.

THE AGENDA AND THE MINUTES

Council President Spencer called Council’s attention to the Agenda for this meeting, noting that there are no additions or deletions expected.

Councilor Baez moved, seconded by **Councilor Goodman–Hinnershitz**, to approve the Agenda for this meeting. The motion was approved unanimously.

MAYOR’S REPORT

Mayor McMahon highlighted the report distributed to Council covering the following:

- Announcing that part 2 of the Budget Summit will be held Saturday June 14th at noon in the Penn Room
- Thanks to everyone contributing to the success of the 3rd Commerce Bank Reading Classic bike race, on Thursday June 5th
- Welcoming The Archive and Abigail's Tea Room to new Reading businesses
- Announcing the Centre Park Historic District Garden Tour on Saturday, June 21st from 10–4 pm
- Announcing Friday, June 20th as the City Day / Mid Day Café at 5th & Penn Street from 11:30–1:30 pm, which offers citizens the opportunity to dunk or throw a pie at their favorite City Official

Councilor Goodman–Hinnershitz noted the uniqueness of Abigail's Tea Room located at Clymer Street and Perkiomen Avenue, in District 2 and The Archive located at 5th & Penn.

Councilor Goodman Hinnershitz requests that the Public Works Agenda include a Report from the Public Works Department, on its ability to handle the increased work load during the summer months.

Councilor Goodman–Hinnershitz noted that the City's Parks are smoke free zones.

AUDITORS REPORT

City Auditor Dave Cituk read the report distributed to Council at the meeting covering the following:

- Highlighting the May 31st Budget Summit
- Report on 2007 Municipal Sewage Payments from outlying municipalities
- 2007 update on the City's external audit

City Council requested that the Auditor provide a report for municipal sewage payments by Reading users.

Councilor Fuhs questioned the ability of the Administration and Auditor to make changes to the draft copy of the external audit before it is finalized. City Auditor replied that the External Auditor prepares a draft report of the audit of the City's General Fund to provide the Administration opportunity to respond to findings and issues. He stated that the draft is not a public document until it is finalized. He noted that in prior years Council does not have opportunity to review the draft audit; however a meeting to highlight the findings and issues could be arranged for the July Finance Meeting.

Councilor Fuhs inquired if the Administration presents a corrective action plan to address the findings and issues identified by the External Auditor. City Auditor Cituk replied that the Administration does present a response to each of the findings made by the External Auditor.

City Council requested a report from the City Auditor showing a list of all findings made by the external auditor for the past eight years, with a list of the steps taken by the Administration to cure the issues and a notation showing whether the findings were corrected or are still unresolved.

REPORTS FROM BOARDS AUTHORITIES AND COMMISSIONS

Steve Karnat, representing the Officers and Employee Pension Board, explained that the Pension Program falls under the 1941 optional Pension Plan. He stated that the Pension Board is made up of the Auditor, Mayor, Finance Director, two employees, and one retiree elected by the membership. He explained that the Pension Board is assisted by a Pension Administrator, Independent Solicitor, Money Managers, and a Bank. The Pension System currently serves 295 retirees. He stated there are currently 342 full time employees participating in the Pension Program. Mr. Karnat stated that there are two pension systems in place; the first provides 20 service years and 55, for employees hired before January 1st 1988. The second requires 25 service years

and 65 for employees hired after January 1st 1988. He stated that the current market value of the Officers and Employees Pension System is approximately \$55 million. He stated that COLA's were given to retirees in 2000 and 2008. The quotas were scaled based on the number of years since the date of the retiree's retirement.

Mr. Karnat announced that the O&E Pension Board meets on the 3rd Wednesday of every month at 1:30pm, in the Penn Room. He noted that Human Resources is currently seeking a new Pension Administrator. City Auditor Cituk stated that Mr. Karnat has been serving on the O&E Pension Board since 2000. He noted Mr. Karnat's dedicated service and professionalism. Mayor McMahon agreed and added that it was an honor to work on the Pension Board with Mr. Karnat and his colleagues.

ORDINANCES FOR FINAL PASSAGE

Bill 37-2008 - empowering the Parking Authority to issue abandoned vehicle reports for all vehicles towed due to parking violations (**Parking Authority, Police Chief, Council Staff**) *Introduced at the May 12 regular meeting*

Councilor Sterner moved, seconded by Councilor Goodman Hinnershitz, to enact Bill 37-2008.

Council President Spencer stated that the enactment of this Ordinance would allow the Parking Authority to issue abandon vehicle reports and tow all vehicles having unclear parking violations.

Bill 37-2008 was enacted by the following vote:

Yea – Beaz, Fuhs, Goodman–Hinnershitz, Marmarou, Sterner, Waltman,– 6

Nays – Spencer President – 1

INTRODUCTION OF NEW ORDINANCES

Council President Spencer read the following Ordinances into the record:

Ordinance – Amending The City Of Reading Codified Ordinances Section 15–812 Boot Installation by reducing the number of unsettled parking violations from ten (10) to five (5). **(Parking Authority – Council Staff)** *Discussed at the 5–27 Committee of the Whole*

RESOLUTIONS

None were presented for adoption

COUNCIL COMMENT

Councilor Marmarou announced the College Heights Community Yard Sale, scheduled for Saturday June 14th. The 25 homes participating in the yard sale will be advertised in the Reading Eagle.

Councilor Marmarou stated that he received phone calls from constituents who are in stern opposition of the proposal made by the Administration at the March 31st Budget Summit.

He stressed the belief that there is approximately \$4 million in uncollected income from business licenses, housing permits, and business privilege tax. He noted that in a few weeks Council Staff uncovered an additional 517 illegal rented units, who have not paid the permit license and taxes. He stated that some of these properties have been in existence before 1995. He expressed the belief that the City should work to collect all delinquent fines, fees, and taxes before property taxes are increased or lay offs occur.

Councilor Fuhs sated that Council recently received an 28 page contract to establish a relationship between the City, the parking authority, the redevelopment authority, and the developer interested in proposing the Riverview Development in District 1. He noted the need for the financial and

legal analysis of the document to protect the City against any liability. He requested that the developer provide Council with the opportunity to review and discuss this document before any special meeting is scheduled.

Councilor Goodman– Hinnershitz agreed with Councilor Fuhs and the need to weigh all issues before any Council action occurs. She noted the great potential of the project and the need to refine the document in a way that protects the City's position.

Councilor Goodman–Hinnershitz noted the vast amount of park space located in District 2 and the effect of the reduction of Public Works staff will have their own ability to maintain the park space.

Councilor Goodman– Hinnershitz announced District 2 community group meetings scheduled for the next 2 weeks.

Councilor Baez noted the Dare to Care community meeting scheduled for June 19th. She stated that Dare to Care meets regularly on the 3rd Thursday of the month at 5:30 pm at the AME Bethel Church.

Councilor Baez stated that she is arranging a Town Meeting for the first Thursday in July at Baer Park.

Councilor Sterner expressed congratulations to those receiving commendations this evening. He also noted the great character of the young gentlemen who assisted a fellow human being.

Finance Director Hottenstein stated that the Administration understands the concern expressed about uncollected permit, fees, license fees, and taxes. He stated that the Administration will work to find all uncollected revenues. Mayor McMahon agreed and requested for more time to review this issue further.

Mayor McMahon also agreed with the need for a thorough review of the document that will allow the redevelopment of a large parcel in District 1.

Mayor McMahon noted that Real Estate taxes only grew 2.8% between 1992 and 2008. He noted that the property tax increase was a suggestion only.

Council President Spencer expressed congratulations to the recent graduates of Reading Senior High, Central Catholic, and Holy Name.

Council President Spencer agreed with the collection of all delinquent and unpaid fees to the City. He also agreed with the need for a thorough legal review of the proposal submitted by the Giannasca's.

Councilor Waltman noted that the City lost a good citizen with the passing of Betty Isaac. He stated that Ms. Isaac was very committed to the City and involved in the City and County Democratic Committees. He expressed sympathy to the Isaac family.

Councilor Waltman also commended President Spencer on his recent retirement from the Reading School District, where he worked to educate Reading's Children for 33 years.

Councilor Waltman moved, seconded by Councilor Marmarou, to adjourn the Regular Meeting of Council.

Linda Kelleher
City Clerk

RESOLUTION NO. _____

AUTHORIZING THE MAYOR TO EXECUTE A COOPERATION AGREEMENT AND VOLUNTARY PAYMENT AGREEMENT BETWEEN THE CITY OF READING, COUNTY OF BERKS, READING SCHOOL DISTRICT, AND THE CITY OF READING HOUSING AUTHORITY RE TAXES FOR THE PARCEL OF LAND SITUATE AT 100 NORTH SECOND STREET AND 110 NORTH SECOND STREET AND 101 PEAR STREET, READING, BERKS COUNTY, PA, SITE OF PROPOSED GOGGLE WORKS APARTMENT PROJECT.

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

That the Mayor for the City of Reading is authorized to execute the attached Cooperation Agreement and Voluntary Payment Agreement between the City of Reading, County of Berks, Reading School District, and the City of Reading Housing Authority re taxes for land parcel situate at 100 North Second Street and 110 North Second Street and 101 Pear Street, Reading, Berks County, Pennsylvania, site of proposed Goggle Works Apartment Project.

Adopted by Council _____, 2008

President of Council

Attest:

City Clerk

BILL NO. _____ 2008
AN ORDINANCE

**AN ORDINANCE AMENDING THE CITY OF READING CODE OF ORDINANCES
CHAPTER 1 – ADMINISTRATION AND GOVERNMENT – PART 5 BOARDS,
DEPARTMENTS, COMMISSIONS, COMMITTEES AND COUNCILS – SECTION A
- PARK AND RECREATION ADVISORY COMMITTEE.**

THEREFORE THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Amending the City of Reading Code of Ordinances Chapter 1
Administration and Government – Part 5 Boards, Departments, Commissions,
Committees and Councils – Section A – Park and Recreation Advisory Committee, as
stated in Exhibit A attached.

SECTION 2. This ordinance shall be effective ten (10) days after its adoption and
approval by the Mayor, or re-passage by City Council over the Mayor's veto, in
accordance with Section 219 of the City of Reading Home Rule Charter, or as set forth in
Section 221 of the City of Reading Home Rule Charter.

Enacted _____, 2008

President of Council

Attest:

City Clerk
(*Public Works Committee & Council Staff*)

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

EXHIBIT A

CHAPTER 1 ADMINISTRATION AND GOVERNMENT

PART 5

BOARDS, COMMISSIONS, COMMITTEES AND COUNCILS

A. Park and Recreation Citizen's Advisory Committee.

§1-501. Findings and Purpose.

1. **Findings.** The City of Reading has determined that the benefits of municipal recreation and park services offer significant value to the community such as individual opportunities for physical fitness, happiness, creativity, competition, social relationships and character development. Park and recreation also brings a community together and cultivates the City's youth to be responsible and productive citizens.

2. **Purpose.** It is to be declared to be the purpose of this Part 5A to establish a Park and Recreation Advisory Committee to provide citizen input to appointed and elected officials on issues regarding park policies, recreation activities and overall park and recreation planning. (*Ord. 11-2000, 7/24/2000, §1*)

§1-502. Duties and Responsibilities.

The committee shall provide advisory recommendations to the City on matters regarding the City's parks and recreation. The duties and responsibilities are detailed as follows:

- a. Recommend policies for the use of City owned parks, open space and playgrounds.
- b. Provide guidance to the Administration on developing agreements with associations, leagues, athletic groups or other community organizations that use City parks, playgrounds and open space on a regular basis.
- c. Prepare and maintain a 10-year park, recreation and open space plan that includes the following.
 - Maintains a detailed inventory of the City's parks, playgrounds and available open space.
 - Review park and playground improvement and rehabilitation plans and provide input to Public Works
 - Identifies service areas for each of the City's parks and playgrounds based on accessibility to neighborhoods.
 - Establishes priorities for park development and identifies 10 year capital needs.

- Evaluate and determine existing and future recreation program needs.
- Identify revenue sources such as grants and user fees to fund recreation activities and implement the park and open space plan.
- d. Provide guidance and feedback to the Superintendent of Recreation on recreation programs and the use of recreation facilities.
- e. Facilitates neighborhood meetings to obtain feedback from the community on park and recreation needs.
- f. Make recommendations to the Public Works Director and to City Council on the naming/renaming of facilities or streets and the dedication of recreational accessories, in accordance with the Policy on the Naming of Public Facilities.
- g. Make annual report to City Council.

§1-503. Committee Membership.

1. The committee shall consist of a minimum of ~~seven~~ **nine** members and two students all of whom shall be residents of the City of Reading. Membership shall be composed of the following.

- **One representative from the Reading School District,**
 - **One representative from Olivets-PAL**
 - **One representative from the YMCA,**
 - **One representative from the United Way**
 - Two representatives from active volunteer park and recreation related associations.
 - **Three** ~~Four~~ **at large members, with consideration given to geographic representation.**
- a. All members of the committee shall be appointed by the Mayor with the approval of Council

2. The term of each member shall be for a period of 3 years. Members will be appointed to serve staggered terms.

3. Chairperson shall be elected annually by committee.

4. The terms of office shall be staggered in such a manner that at least two terms expire annually.

(*Ord. 11-2000, 7/24/2000, §1; as amended by Ord. 34-2001, 9/24/2001, §1*)

§1-504. Meetings.

The committee shall hold regular meetings that occur at least once per month. The committee chair shall prepare an agenda 7 days in advance which shall be distributed to the Mayor, Managing Director, Director of Public Works and City Clerk. (*Ord. 11-2000, 7/24/2000, §1*)

§1-505. Responsibilities of the Superintendent of Recreation.

The Superintendent of Recreation shall be the staff contact with the committee and shall serve as a liaison between the committee, the administration and Council. The Superintendent of Recreation shall perform the following duties:

- A. Advise the committee of the City's strategic goals, needs and budget relating to recreation.
- B. Work with the committee chairperson to develop the monthly meeting agenda.
- C. Prepare and distribute meeting minutes.
- D. Obtain all information and documentation requested of the committee.
- E. Prepare an annual report on behalf of the committee, detailing the committee's strategic goals, activities and accomplishments. (*Ord. 11-2000, 7/24/2000, §1*) Bill 9-2002

§1-505. Removal.

Members shall be removed automatically if they fail to attend three (3) consecutive meetings without providing a reasonable excuse.

BILL NO. _____-2008
A N O R D I N A N C E

AMENDING THE CITY OF READING CODIFIED ORDINANCES SECTION 15-812 BOOT INSTALLATION BY REDUCING THE NUMBER OF UNSETTLED PARKING VIOLATIONS FROM TEN (10) TO FIVE (5).

SECTION 1. Amending the City of Reading Codified Ordinances Section 15-812 as follows:

Any vehicle or conveyance parked within the City upon any public ground at any time may, by or under direction of a Parking Enforcement Officer or member of the Department of Police be booted if there are ~~10~~ five (5) or more unsettled parking violations pending against the owner of the vehicle or conveyance on file with a District Justice or the Reading Parking Authority.

SECTION 2. This Ordinance shall be effective ten (10) days after passage.

Enacted _____, 2008

President of Council

Attest:

City Clerk

(Parking Authority, Council Office)

BILL NO. _____ 2008

AN ORDINANCE

AN ORDINANCE AMENDING THE FY 2006-2012 CAPITAL IMPROVEMENT PLAN FOR THE CITY OF READING.

SECTION 1. The City Council amends the FY 2006-2012 Capital Improvement Program totaling \$26,631,666.00 of debt financing which, when compared to the FY 2006-2011 approved Capital Improvements Program will reflect deletions, insertion, postponements and rescheduling of certain capital projects and establishes levels of funding for each of the four remaining plan years; and

SECTION 2. The proposed amendments are set forth in Exhibit A, as attached hereto and made a part hereof.

SECTION 3. This ordinance shall become effective ten (10) days after its adoption, in accordance with Section 221 of the City of Reading Home Rule Charter.

Enacted _____, 2008

President of Council

Attest:

City Clerk

EXHIBIT A

**CITY OF READING
CAPITAL IMPROVEMENTS PROGRAM
FY 2006 - FY 2012**

			DEBT FINANCING	EXPENDITURES TO DATE	BALANCE	AMENDMENT	NEW BUDGET
PROJECT	YEAR	PROJ. COST					
2006							
FIRE REPLACE RESCUE 1	2006	\$450,000.00	\$450,000.00	\$462,441.00	(\$12,441.00)	\$12,441.00	\$462,441.00
IT DISASTER RECOVERY	2006	\$1,250,000.00	\$1,250,000.00	\$1,252,025.00	(\$2,025.00)	\$2,025.00	\$1,252,025.00
IT Uninterrupted Power Source	2006	\$67,000.00	\$67,000.00	\$16,900.00	\$50,100.00	\$0.00	\$67,000.00
IT PURCHASE GIS SYSTEM FOR CITYWIDE*	2006	\$3,000,000.00	\$750,000.00	\$91,779.00	\$658,221.00	(\$568,221.00)	\$181,779.00
FIRE BUILD OAKBROOK FIRE STATION	2006	\$1,500,000.00	\$1,500,000.00	\$428,058.00	\$1,071,942.00	\$1,200,000.00	\$2,700,000.00
POLICE RANGE CLASSROOM ADDITION	2006	\$52,000.00	\$52,000.00	\$0.00	\$52,000.00	\$200,000.00	\$252,000.00
PW PUBLIC PROPERTY CITY HALL ROOF	2006	\$100,000.00	\$100,000.00	\$7,000.00	\$93,000.00	\$0.00	\$100,000.00
Penn Street Bridge Lighting Repairs	2006	\$87,000.00	\$87,000.00	\$0.00	\$87,000.00	\$0.00	\$87,000.00
PW HIGHWAYS SALT BRINE EQUIPMENT	2006	\$50,000.00	\$50,000.00	\$33,393.00	\$16,607.00	(\$16,607.00)	\$33,393.00
LIBRARY NORTHWEST BRANCH REPAIRS	2007	\$60,000.00	\$60,000.00	\$17,000.00	\$43,000.00	\$0.00	\$60,000.00
POLICE EVIDENCE ROOM EXPANSION	2006	\$200,000.00	\$200,000.00	\$10,472.00	\$189,528.00	\$50,000.00	\$250,000.00
PW PUBLIC PROPERTY STADIUM HIGH MAST REPLACEMENT	2006	\$152,000.00	\$152,000.00	\$115,290.00	\$36,710.00	(\$36,710.00)	\$115,290.00
PW RECREATION BAER PARK PLAYGROUND RENOVATION	2006	\$100,000.00	\$50,000.00	\$3,975.00	\$46,025.00	\$0.00	\$50,000.00
IT AC Unit	2006	\$100,000.00	\$100,000.00	\$100,000.00	\$0.00	\$0.00	\$100,000.00
TOTAL		\$7,168,000.00	\$4,868,000.00	\$2,538,333.00	\$2,329,667	\$842,928	\$5,710,928.00
2007							
FIRE REPLACE ENGINE 14	2007	\$475,000.00	\$475,000.00	\$473,538.00	\$1,462.00	(\$1,462.00)	\$473,538.00
POLICE Downtown Camera Network	2007	\$1,785,000.00	\$390,000.00	\$91,560.00	\$298,440.00	\$0.00	\$390,000.00

LIBRARY MAIN BRANCH RENOVATION	2007	\$140,000.00	\$140,000.00	\$0.00	\$40,000.00	(\$100,000.00)	\$40,000.00
PW RECREATION CITY PARK RENOVATION	2007	\$1,050,000.00	\$1,500,000.00	\$49,504.00	\$1,450,496.00	\$0.00	\$1,500,000.00
PW HIGHWAYS TRASH COMPACTOR TRUCK	2007	\$120,000.00	\$120,000.00	\$103,394.00	\$16,606.00	(\$16,606.00)	\$103,394.00
PW PUBLIC PROPERTY BANDSHELL REHABILITATION	2007	\$80,000.00	\$80,000.00	\$45,337.00	\$34,663.00	\$0.00	\$80,000.00
PW PUBLIC PROPERTY Pagoda Renovations	2007	\$1,443,900.00	\$1,443,900.00	\$100,468.00	\$343,432.00	\$0.00	\$1,443,900.00
PW HIGHWAYS DUMP TRUCK	2007	\$110,000.00	\$110,000.00	\$64,615.00	\$45,385.00	(\$64,615.00)	\$45,385.00
PW RECREATION BAER PARK PLAYGROUND RENOVATION	2007	\$100,000.00	\$50,000.00	\$3,975.00	\$46,025.00	\$0.00	\$50,000.00
PW RECREATION Hillside Playground Renovation	2007	\$70,000.00	\$60,000.00	\$2,230.00	\$57,770.00	\$0.00	\$60,000.00
PW SKYLINE DRIVE WALL REPAIR	2007	\$171,500.00	\$171,500.00	\$0.00	\$171,500.00	\$0.00	\$171,500.00
PW TRAFFIC ENGINEERING BUCKET TRUCK	2007	\$70,000.00	\$70,000.00	\$21,740.00	\$48,260.00	(\$48,260.00)	\$21,740.00
PW RECREATION SCHLEGEL PARK POOL REPLASTER/TILE	2007	\$150,000.00	\$150,000.00	\$202,100.00	(\$52,100.00)	\$52,100.00	\$202,100.00
PW TRAFFIC ENGINEERING HANDICAP RAMPS	2007	\$50,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00
PW PUBLIC PROPERTY 6 & PENN COURTYARD UPGRADE	2007	\$120,000.00	\$120,000.00	\$0.00	\$12,000.00	\$0.00	\$120,000.00
PW PUBLIC PROPERTY ATHLETIC FIELD LIGHTING	2007	\$50,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00
PW PARKS City Park Pond Remediation & Water Feature	2007	\$230,000.00	(\$230,000.00)	\$0.00	\$0.00	(\$230,000.00)	\$0.00
PW FLEET GARAGE OVERHEAD LUBRICATION SYSTEM	2007	\$114,666.00	\$114,666.00	\$0.00	\$114,666.00	\$0.00	\$114,666.00
TOTAL		\$6,330,066.00	\$4,665,066.00	\$1,158,461	\$2,628,605	(\$508,843)	\$4,816,223.00

2008							
FIRE BUILD PENN STREET FIRE STATION	2008	\$2,500,000.00	\$2,500,000.00	\$0.00	\$2,500,000.00	(\$2,500,000.00)	\$0.00
PW PUBLIC PROPERTY STADIUM FIELD LIGHTING UPGRADES	2007	\$60,000.00	\$60,000.00	\$0.00	\$60,000.00	\$0.00	\$60,000.00
PW PUBLIC PROPERTY STADIUM HIGH MAST PAINTING	2007	\$50,000.00	\$50,000.00	\$0.00	\$50,000.00	\$0.00	\$50,000.00
PW PUBLIC PROPERTY CITY HALL BRASS RESTORATION	2007	\$75,000.00	\$75,000.00	\$0.00	\$75,000.00	(\$75,000.00)	\$0.00
CD OUTDOOR FURNISHINGS	2007	\$60,000.00	\$60,000.00	\$0.00	\$60,000.00	(\$60,000.00)	\$0.00
PW RECREATION 3rd & SPRING PLAYGROUND RENOVATION	2008	\$160,000.00	(\$80,000.00)	\$0.00	\$0.00	(\$80,000.00)	\$0.00

PW RECREATION BAER PARK FIELD HOUSE RENOVATION	2008	\$100,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00
IT Hardware	2008	\$126,000.00	\$126,000.00	\$0.00	\$126,000.00	\$0.00	\$126,000.00
PW RECREATION Angelica Nature Center	2008	\$1,000,000.00	\$1,000,000.00	\$0.00	\$1,000,000.00	\$0.00	\$1,000,000.00
IT Software	2008	\$365,000.00	\$365,000.00	\$0.00	\$365,000.00	\$0.00	\$365,000.00
HR SECURITY City Hall	2008	\$30,600.00	\$30,600.00	\$0.00	\$30,600.00	(\$30,600.00)	\$0.00
PLANNING Green Roof for City Hall	2008	\$336,000.00	\$336,000.00	\$0.00	\$336,000.00	(\$336,000.00)	\$0.00
PW PARKS Duryea Drive Guard Rails	2009	\$230,000.00	\$230,000.00	\$0.00	\$230,000.00	\$0.00	\$230,000.00
COUNCIL MULTIMEDIA UPGRADE Council Chambers	2008	\$250,000.00	\$250,000.00	\$0.00	\$250,000.00	(\$250,000.00)	\$0.00
TOTAL		\$5,342,600.00	\$4,952,600.00	\$0.00	\$5,082,600.00	(\$3,381,600.00)	\$1,831,000.00

2009							
PW HIGHWAYS FRONT END LOADER	2008	\$175,000.00	\$175,000.00	\$0.00	\$175,000.00	\$0.00	\$175,000.00
PW HIGHWAYS STREET SWEEPERS	2007	\$300,000.00	\$300,000.00	\$0.00	\$300,000.00	\$0.00	\$300,000.00
PW FLEET BIG TRUCK LIFT	2008	\$50,000.00	\$50,000.00	\$0.00	\$50,000.00	(\$50,000.00)	\$0.00
PW TRAFFIC ENGINEERING HANDICAP RAMPS	2007	\$50,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00
FIRE BUILD NEW HAMPDEN/MARION FIRE STATION	2009	\$2,500,000.00	\$2,500,000.00	\$0.00	\$2,500,000.00	(\$2,500,000.00)	\$0.00
PW RECREATION NORTHMONT PLAYGROUND RENOVATION	2009	\$160,000.00	(\$80,000.00)	\$0.00	\$0.00	(\$80,000.00)	\$0.00
MAYORS OFFCIE First Energy Stadium Repair	2009	\$26,000,000.00	\$1,300,000.00	\$0.00	\$1,300,000.00	\$0.00	\$1,300,000.00
PW STREETS Bridge Repair	2009	\$450,000.00	\$450,000.00	\$0.00	\$450,000.00	\$0.00	\$450,000.00
PW PARKS City Hall Improvements	2009	\$250,000.00	\$250,000.00	\$0.00	\$250,000.00	(\$250,000.00)	\$0.00
TOTAL		\$29,935,000.00	\$4,895,000.00	\$0	\$5,025,000	(\$2,930,000)	\$2,225,000.00

2010							
CED African American Museum Site Preparation	2007	\$6,170,000.00	\$500,000.00	\$0.00	\$500,000.00	\$0.00	\$500,000.00
LIBRARY SOUTHEAST BRANCH REPAIRS	2008	\$70,000.00	\$70,000.00	\$0.00	\$70,000.00	\$0.00	\$70,000.00
CED ALLEY AND ROW IMPROVEMENTS	2008	\$250,000.00	\$200,000.00	\$0.00	\$200,000.00	(\$200,000.00)	\$0.00
PW PUBLIC PROPERTY ATHLETIC FACILITIES LIGHTING	2008	\$50,000.00	\$50,000.00	\$0.00	\$50,000.00	(\$50,000.00)	\$0.00
PW TRAFFIC ENGINEERING HANDICAP RAMPS	2008	\$50,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00
PW PARKS FRONT END LOADER	2009	\$120,000.00	\$120,000.00	\$0.00	\$120,000.00	(\$120,000.00)	\$0.00

PW HIGHWAYS STREET SWEEPERS	2009	\$300,000.00	\$300,000.00	\$0.00	\$300,000.00	(\$300,000.00)	\$0.00
LIBRARY MAIN BRANCH EXPANSION	2010	\$8,000,000.00	\$2,000,000.00	\$0.00	\$2,000,000.00	(\$2,000,000.00)	\$0.00
PW RECREATION KEFFER PARK FIELD HOUSE RENOVATION	2008	\$100,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00
IT Hansen Dynamic Portal	2008	\$286,000.00	\$286,000.00	\$0.00	\$286,000.00	\$0.00	\$286,000.00
TOTAL		\$15,396,000.00	\$3,426,000.00	\$0	\$3,526,000	(\$2,770,000)	\$856,000.00

2011							
PW HIGHWAYS STREET SWEEPERS	2010	\$300,000.00	\$300,000.00	\$0.00	\$300,000.00	(\$300,000.00)	\$0.00
PW PARKS GROUNDMASTER TRACTOR	2010	\$50,000.00	\$50,000.00	\$0.00	\$50,000.00	\$0.00	\$50,000.00
LIBRARY New NW Branch	2011	\$1,800,000.00	\$1,800,000.00	\$0.00	\$1,800,000.00	(\$1,800,000.00)	\$0.00
PW PUBLIC PROPERTY ATHLETIC FACILITIES LIGHTING	2010	\$50,000.00	\$50,000.00	\$0.00	\$50,000.00	(\$50,000.00)	\$0.00
LIBRARY NORTHEAST BRANCH REPAIRS	2009	\$70,000.00	\$70,000.00	\$0.00	\$70,000.00	\$0.00	\$70,000.00
PW TRAFFIC ENGINEERING HANDICAP RAMPS	2008	\$50,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00
PW TRAFFIC ENGINEERING HANDICAP RAMPS	2008	\$50,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00
CD/PLANNING Whitewater Park	2007	\$522,810.00	\$525,000.00	\$0.00	\$525,000.00	(\$525,000.00)	\$0.00
PW RECREATION PENDORA PARK FIELD HOUSE RENOVATION	2008	\$200,000.00	(\$100,000.00)	\$0.00	\$0.00	(\$100,000.00)	\$0.00
LIBRARY BOOK MOBILE REPLACEMENT	2010	\$120,000.00	\$120,000.00	\$0.00	\$120,000.00	(\$120,000.00)	\$0.00
CED ALLEY AND ROW IMPROVEMENTS	2009	\$250,000.00	\$250,000.00	\$0.00	\$250,000.00	(\$250,000.00)	\$0.00
CED ALLEY AND ROW IMPROVEMENTS	2010	\$250,000.00	\$250,000.00	\$0.00	\$250,000.00	(\$250,000.00)	\$0.00
PW PUBLIC PROPERTY STADIUM FIELD LIGHTING UPGRADES	2010	\$60,000.00	\$60,000.00	\$0.00	\$60,000.00	\$0.00	\$60,000.00
TOTAL		\$3,772,810.00	\$3,275,000.00	\$0	\$3,475,000	(\$3,495,000)	\$180,000.00

Total CIP		\$67,944,476.00	\$26,081,666.00	\$3,696,794	\$22,066,872	(\$12,242,515)	#####
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Notes:

1. The stadium high mast replacement project is proposed to remain unscheduled until final determination of whether to renovate or re-locate Municipal Stadium is made.
2. Although street paving is budgeted every year, the magnitude of the effort is beyond the City's financial capacity, thus proposing State and Federal funding. The project could be debt financed, but the life of a road is less than 10 years making it a poor candidate for such funding.

B I L L N O. _____-2008
A N O R D I N A N C E

AN ORDINANCE AMENDING THE CITY OF READING ZONING ORDINANCE AND MAP BY CHANGING THE R-3 ZONING DESIGNATION TO AN R-2 ZONING DESIGNATION IN COUNCIL DISTRICT 1 TO INCLUDE PARCELS WITH THE PERSONAL IDENTIFICATION

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The Zoning Ordinance and Map of the City of Reading is amended to by changing the R-3 zoning designation to an R-2 zoning designation in Council District 1 to include parcels with the parcel identification numbers (PIN) 530654145536 and 530653140352.

SECTION 2. All other provisions of the City of Reading Zoning Ordinance of the City of Reading shall remain unchanged and in full force and effect.

SECTION 3. Effectiveness of Ordinance. This Ordinance will become effective in accordance with Charter Section 219.

Enacted _____, 2008

President of Council

Attest:

City Clerk

(Councilor Fuhs & Council Staff)

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

B I L L N O. _____-2008
A N O R D I N A N C E

**AN ORDINANCE AMENDING THE CITY OF READING ZONING
ORDINANCE AND MAP BY CHANGING THE RESIDENTIAL
OUTLET ZONING DISTRICT TO A COMMERCIAL
NEIGHBORHOOD ZONING DISTRICT IN CITY COUNCIL
DISTRICT 6.**

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The Zoning Ordinance and Map of the City of Reading are amended by changing the Residential Outlet Zoning District to a Commercial Neighborhood Zoning District in Council District 6.

SECTION 2. All other provisions of the City of Reading Zoning Ordinance of the City of Reading shall remain unchanged and in full force and effect.

SECTION 3. Effectiveness of Ordinance. This Ordinance will become effective in accordance with Charter Section 219.

Enacted _____, 2008

President of Council

Attest:

City Clerk

(Councilor Waltman & Council Staff)

TO: City Council
PREPARED BY: Charles M. Jones, P.E., Public Works Director
MEETING DATE: June 9, 2008
AGENDA MEMO DATE: June 4, 2008

REQUESTED ACTION: To authorize the administration to enter into a professional services agreement with Hill International/Weston Solutions/Hazen and Sawyer for project management, construction management, and related services for the City of Reading Wastewater Treatment Plant Upgrades Project.

RECOMMENDATION

Authorize the administration to negotiate and execute a professional services agreement with Hill International/Weston Solutions/Hazen and Sawyer of One Penn Square West, 30 South 15th Street, Suite 1300, Philadelphia, PA 19102 for project management, construction management, and related services for the Wastewater Treatment Plant Upgrades Project for a maximum not to exceed price of \$7,825,075. The issuance of an Advanced Notice to Proceed is also recommended so that project management and financial planning services can begin immediately since the design work by Black & Veatch has already begun.

BACKGROUND

The Consent Decree executed among the United States of America Department of Justice, the United States Environmental Protection Agency, the Commonwealth of Pennsylvania Department of Environmental Protection, and the City of Reading describes various improvements to be completed to the wastewater treatment plant, sanitary sewer collection system, and associated systems and programs. A new wastewater treatment plant must be substantially complete by October, 2012.

Five different proposals were received in response to the Request for Proposals for project management and construction management services. Two of the five submitting firms were eliminated based on proposal review. The remaining three firms were requested to appear for an interview. One of the three firms was eliminated based on the interview. Additional information was requested of the remaining two firms. One firm was eliminated based on review of the written supplemental information. The remaining firm, Hill International/Weston Solutions/Hazen and Sawyer was asked to appear to discuss financial planning services throughout the project. Additional information was received describing financial planning services and a price for those services. The selection committee comprised of two City employees (technical), two City employees (non-technical), and two officials from outside of the City (City of Philadelphia and Borough of State College) reviewed the technical proposals, conducted a telephone conference to discuss the technical proposals and open the price proposals, interviewed three firms, compiled questions for the final two firms, and reviewed the responses of the final two firms. It is the opinion of the selection

committee that Hill International/Weston Solutions/Hazen and Sawyer was responsive, submitted proposals that were within the requirements listed in the Request for Proposals, has a clear understanding of the project and the rigid timelines listed in the Consent Decree, and submitted the lowest price for the requested services.

BUDGETARY IMPACT

The proposal includes a not to exceed fee of \$7,825,075. Sewer Capital Funds are available for the design services relating to the Wastewater Treatment Plant Upgrades Project. The following is a summary of the price proposal:

Project Management Services	\$2,319,926
Construction Management Services	\$6,758,340
Reduction if awarded both services above	\$1,388,191
Financial Planning Services	\$ 135,000
TOTAL NOT TO EXCEED FEE	\$7,825,075

PREVIOUS ACTION

Council approved the Consent Decree on October 25, 2004. The Consent Decree describes the required improvements at the wastewater treatment plant. The design contract was awarded to Black & Veatch on March 24, 2008.

SUBSEQUENT ACTION

Additional contracts will follow for the construction of the wastewater treatment plant improvements will follow. The award of construction contracts will occur during 2009.

REVIEWED BY

The Mayor, Acting Managing Director, Directors of Finance and Public Works, Utilities Division Manager, and Purchasing Coordinator.

RECOMMENDED MOTION

Approve/Deny authorization for the Administration to negotiate and execute a professional services agreement with Hill International/Weston Solutions/Hazen and Sawyer for project management, construction management, and related services for the Wastewater Treatment Plant Upgrades Project at a maximum not to exceed fee of \$7,825,075. Approve/Deny authorization for the issuance of an Advanced Notice to Proceed so that management of the design process which has already begun and financial planning services can commence at once.

April 15, 2008

To the Mayor

City Hall

Reading, PA

**RFP FOR THE PURPOSE OF RETAINING A QUALIFIED FIRM TO
PERFORM CONSTRUCTION MANAGEMENT SERVICES AND PROJECT
MANAGEMENT SERVICES IN CONNECTION WITH PROJECTS AND
ACTIONS ASSOCIATED WITH THE CITY OF READING WASTEWATER
TREATMENT PLANT PROJECT FOR THE CITY OF READING,
PENNSYLVANIA**

Proposals for construction management services were received from the following firms:

Camp Dresser & McKee Inc.

205 Granite Run Drive

Suite 350

Lancaster, PA 17601

Gannett Fleming

P.O. Box 67100

Harrisburg, PA 17106

Hill International, Inc.

One Penn Square West

30 South 15th Street

Suite 1300

Philadelphia, PA 19102

Johnson, Mirmiran & Thompson

220 St. Charles Way, Suite 200

York, PA 17402

MWH

335 Phoenixville Pike

Malvern, PA 19355

Proposals for project management services were received from the following firms:

Camp Dresser & McKee Inc.

205 Granite Run Drive

Suite 350

Lancaster, PA 17601

Gannett Fleming

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Hill International, Inc.

One Penn Square West
30 South 15th Street
Suite 1300
Philadelphia, PA 19102

Johnson, Mirmiran & Thompson
220 St. Charles Way, Suite 200
York, PA 17402

MWH
335 Phoenixville Pike
Malvern, PA 19355

HEATHER DUNKLE
Purchasing Coordinator

RESOLUTION NO. _____

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:-

The Mayor is authorized to negotiate and execute a contract with Hill International/Weston Solutions/Hazen and Sawyer, for the project management, construction management, and related services for the City of Reading Wastewater Treatment Plant Upgrade Project, at a not to exceed fee of \$7,825,075.00.

The Administration is authorized to issue an Advance Notice to Proceed to Hill International/Weston Solutions/Hazen and Sawyer to allow work to begin while the final contract is being assembled and executed.

ADOPTED BY COUNCIL _____ 2008

PRESIDENT OF COUNCIL

ATTEST:

CITY CLERK

RESOLUTION NO. _____

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS
FOLLOWS:

Approving the conditional use application, presented by the City
of Reading and Fire Chief William Rehr, for a fire station in the
Commercial Highway zoning district at 101 Lancaster Avenue.

Adopted by Council _____, 2008

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher, City Clerk

IN RE: CONDITIONAL USE HEARING : BEFORE THE CITY COUNCIL
APPLICATION BY WILLIAM REHR : OF THE CITY OF READING,
(FIRE CHIEF), CITY OF READING, PA : PENNSYLVANIA
FOR CONSTRUCTION OF A FIREHOUSE :
AT PREMISES SITUATE AT 101 LAN- :
CASTER AVE., READING, BERKS :
COUNTY, PENNSYLVANIA :

**DECISION OF THE CITY COUNCIL OF THE
CITY OF READING**

AND NOW, this _____ day of _____, 2008, a public hearing having been held on May 29, 2008, upon application of William Rehr (Fire Chief) of the City of Reading, Pennsylvania, for a conditional use for a fire station in a C-H Zoning District at 101 Lancaster Ave., Reading, Berks County, Pennsylvania, and sufficient notice thereof being given, the City Council of the City of Reading, Pennsylvania (hereinafter referred to as the "Council") renders the following decision:

FINDINGS OF FACT

The Council finds the following facts:

1. The Applicant is William Rehr, Director of Fire and Rescue Services for the City of Reading (Fire Chief), (hereinafter referred to as "Applicant").
2. The City of Reading is the fee simple owner of property located at 101 Lancaster Ave., Reading, Berks County, Pennsylvania (hereinafter referred to as the "Subject Property").
3. The Subject Property is located in the C-H Zoning District as that term and district are defined by the Zoning Ordinance of the City of Reading, as amended (hereinafter referred to as the "Zoning Ordinance").
4. Applicant has requested a conditional use under the Zoning Ordinance to

permit the construction of a fire station at the Subject Property. In addition, Applicant had applied for variances to the Zoning Hearing Board and final approval from the City of Reading Planning Commission.

5. The bulk of any County Planning Commission comments has been addressed by

Applicant's presentation and/or through contact with PennDot.

6. Applicant's application included a site plan and architectural renderings of the proposed building.

7. The proposed fire station will consolidate Oakbrook and Liberty fire stations and should not affect response time.

8. There is no evidence of opposition to the proposed fire station.

9. The proposed use is in keeping with the spirit and intent of the Zoning Ordinance and should be an improvement to the health, safety and welfare of the neighborhood.

10. There is no evidence the proposed use will have an adverse effect.

DISCUSSION

Applicant seeks a conditional use for the construction of a fire station in a C-H Zoning District as provided in the Zoning Ordinance. Applicant's proposed use will not be a detriment to the health, safety and welfare of the neighborhood, but should be improvement to it.

CONCLUSIONS OF LAW

1. The Subject Property is located in the C-H Zoning District.
2. Applicant seeks a conditional use pursuant to the Zoning Ordinance (Sections 27-606 and 27-1201).

3. The City Council is permitted to grant applications for conditional use as set forth in the Zoning Ordinance.

4. After reviewing Applicant's request and public hearing thereon, City Council enters the following Decision:

a. Applicant is hereby granted a conditional use to construct a fire station at the Subject Property; and

b. Applicant shall follow through with any and all required procedures to address any matters pending before the Zoning Hearing Board, Planning Commission, and/or other applicable agency.

RESOLUTION NO. _____

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS
FOLLOWS:

That Steven McCracken is reappointed to the Board of Ethics, with a
term ending June 23, 2009.

Adopted by Council _____, 2008

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk

RESOLUTION NO. _____

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS
FOLLOWS:

That Edward Kopicki is reappointed to the Downtown Improvement
District Authority, with a term ending January 1, 2013.

Adopted by Council _____, 2008

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk